

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
TOLEDO DIVISION

FILED
NOV 25 2019
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF OHIO
TOLEDO

PATRICK MCMAHON,

Plaintiff,

vs.

PINPOINT PIPELINE INSPECTION &
TESTING, LLC

Defendant.

CAUSE NO. **3 : 19 CV 2782**

JUDGE ZOUHARY
MAG. JUDGE JAMES R. KNEPP II

COMPLAINT FOR DAMAGES

Plaintiff, Patrick McMahon, for her Complaint against Defendant, Pinpoint Pipeline Inspection & Testing, LLC, and states the following:

I. Parties

1. Plaintiff is a resident of Oregon.
2. Defendant is a business located in Rotan, Texas..
3. Defendant did/does business in the Toledo area.

II. Jurisdiction and Venue

4. This court has jurisdiction to hear this claim pursuant to 28 U.S.C. §1331, in that the claims arise under the laws of the United States. Specifically, Plaintiff brings this action to enforce his rights under the FLSA.

5. Venue in the Northern District of Ohio, Toledo Division, is appropriate by virtue Defendant doing business in this District.

III. Factual Allegations

6. Plaintiff began working for Defendant on or about October 9, 2017.

7. Defendant agreed to pay Plaintiff a daily rate.
8. The daily rate Defendant agreed to pay Plaintiff was \$321.00 per day.
9. Defendant agreed to pay Plaintiff on a bi-weekly basis.
10. After the bi-weekly pay period ended, Defendant would pay Plaintiff thirteen (13) days later.
11. Plaintiff worked hours over 40 hours in a workweek which Defendant failed to pay Plaintiff for all of the hours that he worked.
12. Plaintiff worked hours over 40 hours in a workweek which Defendant failed to pay Plaintiff an overtime premiums.
13. Plaintiff separated his employment with Defendant on or after April 13, 2018.
14. Defendants willfully failed to pay Plaintiff his overtime wages at all and/or at time and a half.

III. Cause of Action

Count I Failure to Pay Overtime Wages Pursuant to the FLSA, 29 U.S.C. §201 *et. seq.*

15. Plaintiff incorporates paragraphs 1 through 14 by reference herein.
16. Plaintiff was an employee of Defendant pursuant to the FLSA.
17. Plaintiff's work for Defendants involved interstate commerce.
18. Defendant is an employer pursuant to the FLSA.
19. Defendant had gross revenues of at least \$500,000.00 for the 2016 calendar year.
20. Defendant, had gross revenues of at least \$500,000.00 for the 2017 calendar year.
21. Defendant had gross revenues of at least \$500,000.00 for the 2018 calendar year.
22. Defendant willfully failed to properly pay all overtime hours worked by Plaintiff.

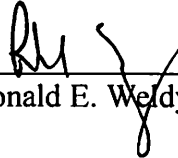
23. Defendant willfully failed to properly pay all overtime premiums at the correct rate.

24. Defendant's violations of the FLSA have damaged Plaintiff.

WHEREFORE, Plaintiff prays that the Court enter a Judgment in favor of Plaintiff and against Defendant in an amount to compensate Plaintiff, liquidated damages, prejudgment interest, attorney fees, costs of this action, and for all other relief which is just and proper in the premises.

Respectfully submitted,

WELDY LAW



Ronald E. Weldy, #22571-49

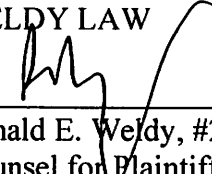
IV. Jury Demand

25. Plaintiff incorporates paragraphs 1 through 24 by reference herein.

26. Plaintiff hereby demands a trial by jury.

Respectfully submitted,

WELDY LAW



Ronald E. Weldy, #22571-49
Counsel for Plaintiff,
Patrick McMahon

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